

By Smith *Smith*  
*Bartram*

A BILL

To be entitled

An Act amending Section 2 of Chapter 250, Acts of the Fifty-Fourth Legislature, Regular Session, 1955, compiled as Article 8280-167 of Vernon's Civil Statutes, so as to redefine the boundaries of the "York~~l~~ Creek Improvement District"; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Section 2 of Chapter 250, Acts of the Fifty-fourth Legislature, Regular Session, 1955, which is compiled as Article 8280-167 of Vernon's Civil Statutes, is hereby amended to read hereafter as follows:

"Section 2. The District shall contain the territory described as follows, situated, lying and being in the State of Texas, Counties of Guadalupe, Hays and Comal:

"BEGINNING at the Northwest corner of the M. Cherino Two League Grant, Abstract No. 10, Guadalupe County, Texas;

"THENCE East with the North boundary of the Cherino Grant to its Northeast corner, a reentrant corner of the Wm. J. Ragsdale Survey, Abstract No. 268;

"THENCE South to the most Southern southwest corner of the said Ragsdale Survey;

"THENCE East with the most Southern south line of the said Ragsdale Survey to its most Southern southeast corner, in the Southwest line of the J. B. Cowan Survey, Abstract No. 84;

"THENCE South 40° East with the Southwest line of the said Cowan Survey to the West corner of an 1107 acres tract conveyed by Ella Weinert et al to John Allen Bauchman et al by deed dated Dec. 29, 1949, of record in Vol. 240, pages 511-2 of the Deed Records of Guadalupe County, Texas;

"THENCE North 50° East, following the Northwest line of the Bauchman tract, and continuing in the same direction to a point in the Northeast boundary of the said Cowan Survey, the Southwest line of the J. B. Johnson Survey, Abst. No. 191;

"THENCE North 40° West with the Southwest line of the said J. B. Johnson Survey to the West corner of a 75.375 acres tract conveyed by J. Ed. Boerger et ux to V. C. Pomrenke by deed dated Feb. 21, 1951, of record in Vol. 250, pages 412-4 of the Deed Records of Guadalupe County, Texas, the South line of FM Highway No. 621;

"THENCE North 50° East with the North west line of the said Pomrenke tract to its North corner, the West corner of a 149.96 acres tract conveyed by Ed. Hagemann et ux to George W. Munk et al by deed dated Dec. 29, 1949, of record in Vol. 242, pages 7-8 of the Deed records of Guadalupe County, Texas;

"THENCE South 40° East to the South corner of the said George W. Munk, et al, tract;

"THENCE North 50° East to the East corner of the said Munk tract, the West corner of a 100 acres tract conveyed by Turner Harper to Jas. Greenwood et al by deed dated Nov. 16, 1918, of record in Vol. 54, page 271 of the Deed Records of Guadalupe County, Texas;

"THENCE South 40° East to the South corner of said Greenwood et al tract;

"THENCE South 50° West to the North corner of a 123.52 acres tract conveyed by J. B. Dibrell et al to Richard Nichols, Jr. by deed dated Nov. 8, 1919, of record in Vol. 57, p. 114 of the Deed Records of Guadalupe County, Texas;

"THENCE South 40° East to the East corner of the said Richard Nichols, Jr. tract in the Southeast line of the J. B. Johnson Survey, the Northwest line of the R. M. Cartwright Survey, Abst. No. 83;

"THENCE North 50° East to the North corner of the R. M. Cartwright Survey;

"THENCE South 40° East to the East corner of the said Cartwright Survey;

"THENCE North 50° East with the common boundary between the James Latham Survey, Abst. No. 209 and the W. H. Hunter Survey, Abst. No. 152, to the East corner of the said Latham Survey, the North corner of the said Hunter Survey;

"THENCE South 40° East with the Northeast line of the said W. H. Hunter Survey to the South corner of the Robert Smith League Survey, Abst. No. 33;

"THENCE North 50° East with the Southeast line of the said Robert Smith League to its east corner on the West Bank of the San Marcos River;

"THENCE up the West bank of the San Marcos River with its meanders to the mouth of Yorks Creek, crossing Yorks Creek to the West bank of the San Marcos River and continuing up said river with its meanders along the West bank of said river with its meanders to where the said river crosses the Northwest boundary line of the Cyrus Campbell Survey in Guadalupe County;

"THENCE in a Southwesterly direction along the Northwest line of said Campbell Survey to the Northeast line of the S. A. & M. G. R. R. Co. Survey, G-5-121;

"THENCE in a Northwesterly direction along the Northeast line of said S. A. & M. G. R. R. Co. Survey G-5-121, to the Guadalupe-Hays County line and continuing in the same direction to the North corner of said S. A. & M. G. R. R. Co.

Survey, G-5-121, in Hays County;

"THENCE in a Southwesterly direction to the East corner of the Jesse W. Wilson Survey;

"THENCE in a Northwesterly direction along the Northeast line of said Wilson Survey to a North corner of said Wilson Survey;

"THENCE in a Southwesterly direction to an inner corner of said Wilson Survey;

"THENCE in a Northwesterly direction to a North corner of said Wilson Survey, the same being the East corner of the Barnett O. Kane Survey and continuing in the same direction, the same being in a Northwesterly direction along the Northeast line of said Kane Survey to the North corner of said Kane Survey;

"THENCE in a Southwesterly direction along the Northwest lines of the Barnett O. Kane and Cyrus Wickson Surveys to an inner corner of the said Wickson Survey;

"THENCE in a Northwesterly direction along a Northeast line of said Wickson Survey to the East corner of the Nathaniel Hubbard Survey;

"THENCE continuing in the same direction, the same being a Northwesterly direction to a North corner of said Nathaniel Hubbard Survey;

"THENCE in a Southwesterly direction along the Northwest lines of the Nathaniel Hubbard and the Edward Burleson Surveys to the East corner of the Isaac Lowe Survey;

"THENCE in a Northwesterly direction to the North corner of said Lowe Survey;

"THENCE in a Southwesterly direction to the East corner of the Jonathan Scott Survey;

"THENCE in a Northwesterly direction to the North corner of said Scott Survey;

"THENCE in a Southwesterly direction crossing the Comal-Hays County Line to the West corner of said Scott Survey in Comal County;

"THENCE in a Southeasterly direction to the North corner of the John M. Oliver Survey;

"THENCE in a Southwesterly direction to the West corner of said Oliver Survey;

"THENCE in a Southeasterly direction to the North corner of the Frederick Pejaghouse Survey (459);

"THENCE in a Southwesterly direction to the West corner of said Frederick Pejaghouse Survey (459);

"THENCE in a Southeasterly direction to the East corner of the Wesley Hughes Survey No. 29, Abstract 214, the North corner of the Nancy Kenner Survey, Abstract 306;

"THENCE with the Northeast line of the Nancy Kenner Survey to the <sup>Southeast</sup> ~~Northwest~~ line of the Missouri <sup>Pacific</sup> ~~Kansas & Texas~~ Railroad ~~Company~~ right-of-way;

"THENCE with said railroad right-of-way line in a Southwesterly direction to the point where said railroad right-of-way line intersects the Northeast line of the Orrilla Russell Survey, Abstract 485;

"THENCE with said line of the Orrilla Russell Survey in a Southeasterly direction to the San Antonio-Nacogdoches Road in the Northwest line of the Antonio Maria Esnaurizar Eleven League Grant;

"THENCE in a Southwesterly direction with said road to the North corner of Subdivision 10 of said Esnaurizar Grant;

"THENCE South  $45^{\circ}$  East crossing the Comal-Guadalupe County line, and with the Northeast boundary of Subdivisions 10, 60, 59, 58, 57, 56, 55 and 54, the Southwest boundary of Subdivisions 11, 31, 32, 33, 34, 35, 36 and 37, to the common corner of Subdivision 53, 54, 37 and 38 of said Esnaurizar Grant in Guadalupe County;

"THENCE North  $45^{\circ}$  East with the common boundary between said Subdivisions 37 and 38 to the North corner of Subdivision No. 38 in the West line of Subdivision No. 174;

"THENCE South with the West lines of Subdivisions 174 and 181 to the Southwest corner of Subdivision No. 181;

"THENCE East with the South boundary of Subdivisions 181, 180, 179 and 178, the North boundary of Subdivisions 182, 183, 184 and 185, to the Southeast corner of Subdivision 178, the Northeast corner of Subdivision No. 185 in the East line of said Esnaurizar Grant;

"THENCE South with the East boundary line of the said Esnaurizar Grant to the place of beginning."

Sec. 2. The facts that the boundaries of the Yorks Creek Improvement District need to be redefined so as to not conflict with other districts, and the crowded condition of the calendar in both Houses, create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

FORM B

(For favorable reports on bills where committee amendments other than "committee substitutes" are recommended; and for resolutions where committee amendments, including complete substitutes, are recommended.)

COMMITTEE ROOM

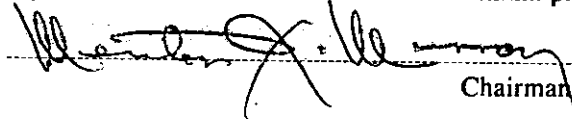
Date February 17, 1959

Hon. Waggoner Carr

Speaker of the House of Representatives.

Sir:

We, your Committee on Conservation and Reclamation, to whom was referred HB No. 180, have had the same under consideration and beg to report back with recommendation that it do pass, as amended, and be printed.

  
Chairman.

(In the case of simple and concurrent resolutions the words "and be printed" should be stricken out since resolutions are printed in the Journal when they are first introduced.

The word "not" should be inserted before "printed" only in case of a local bill reported favorably with amendments and ordered not printed, which is customary for local bills.)

*Shaw* Committee Amend - #1

Amend House Bill 180 by striking out on page 4 the following language:

"Thence with the Northeast line of the Nancy Kenner Survey to the Northwest line of the Missouri Kansas & Texas Railroad Company right-of-way;

and by inserting in lieu thereof:

"Thence with the Northeast line of the Nancy Kenner Survey to the Southeast line of the Missouri Pacific Railroad right-of-way;"

*Shaw*

DATE MAR 4 1959

READ AND ADOPTED  
*Dorothy Hallman*  
CHIEF CLERK  
HOUSE OF REPRESENTATIVES

m.m.

By: Smith of Hays, Bartram

H. B. No. 180

A BILL TO BE ENTITLED

AN ACT

amending Section 2 of Chapter 250, Acts of the Fifty-fourth Legislature, Regular Session, 1955, compiled as Article 8280-167 of Vernon's Civil Statutes, so as to redefine the boundaries of the "Yorks Creek Improvement District"; and declaring an emergency.

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"BEGINNING at the Northwest corner of the M. Cherino Two League Grant, Abstract No. 10, Guadalupe County, Texas;

"THENCE East with the North boundary of the Cherino Grant to its Northeast corner, a reentrant corner of the Wm. J. Ragsdale Survey, Abstract No. 268;

"THENCE South to the most Southern Southwest corner of the said Ragsdale Survey;

"THENCE East with the most Southern South line of the said Ragsdale Survey to its most Southern Southeast corner, in the Southwest line of the J. B. Cowan Survey, Abstract No. 84;

"THENCE South 40° East with the Southwest line of the said Cowan Survey to the West corner of an 1107 acres tract conveyed by Ella Weinert et al to John Allen Bauchman et al by deed dated

Dec. 29, 1949, of record in Vol. 240, pages 511-2 of the Deed Records of Guadalupe County, Texas;

"THENCE North 50° East, following the Northwest line of the Bauchman tract, and continuing in the same direction to a point in the Northeast boundary of the said Cowan Survey, the Southwest line of the J. B. Johnson Survey, Abst. No. 191;

"THENCE North 40° West with the Southwest line of the said J. B. Johnson Survey to the West corner of a 75.375 acres tract conveyed by J. Ed. Boerger et ux to V. C. Pomrenke by deed dated Feb. 21, 1951, of record in Vol. 250, pages 412-4 of the Deed Records of Guadalupe County, Texas, the South line of FM Highway No. 621;

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"THENCE South 40° East to the South corner of the said George W. Munk, et al, tract;

"THENCE North 50° East to the East corner of the said Munk tract, the West corner of a 100 acres tract conveyed by Turner Harper to Jas. Greenwood et al by deed dated Nov. 16, 1918, of record in Vol. 54, page 271 of the Deed Records of Guadalupe County, Texas;

"THENCE South 40° East to the South corner of said Greenwood et al tract;

"THENCE South 50° West to the North corner of a 123.52 acres tract conveyed by J. B. Dibrell et al to Richard Nichols, Jr. by



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"THENCE South 40° East to the East corner of the said Richard Nichols, Jr. tract in the Southeast line of the J. B. Johnson Survey, the Northwest line of the R. M. Cartwright Survey, Abst. No. 83;

"THENCE North 50° East to the North corner of the R. M. Cartwright Survey;

"THENCE South 40° East to the East corner of the said Cartwright Survey;

"THENCE North 50° East with the common boundary between the James Latham Survey, Abst. No. 209 and the W. H. Hunter Survey, Abst. No. 152, to the East corner of the said Latham Survey, the North corner of the said Hunter Survey;

"THENCE South 40° East with the Northeast line of the said W. H. Hunter Survey to the South corner of the Robert Smith League Survey, Abst. No. 33;

"THENCE North 50° East with the Southeast line of the said Robert Smith League to its east corner on the West Bank of the San Marcos River;

"THENCE up the West bank of the San Marcos River with its meanders to the mouth of Yorks Creek, crossing Yorks Creek to the West bank of the San Marcos River and continuing up said river with its meanders along the West bank of said river with its meanders to where the said river crosses the Northwest boundary line of the Cyrus Campbell Survey in Guadalupe County;

"THENCE in a Southwesterly direction along the Northwest line of said Campbell Survey to the Northeast line of the S. A. & M. G. R. R. Co. Survey, G-5-121;

"THENCE in a Northwesterly direction along the Northeast line of said S. A. & M. G. R. R. Co. Survey G-5-121, to the Guadalupe-Hays County line and continuing in the same direction to the North corner of said S. A. & M. G. R. R. Co. Survey, G-5-121, in Hays County;

"THENCE in a Southwesterly direction to the East corner of the Jesse W. Wilson Survey;

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"THENCE in a Southwesterly direction to an inner corner of said Wilson Survey;

"THENCE in a Northwesterly direction to a North corner of said Wilson Survey, the same being the East corner of the Barnett O. Kane Survey and continuing in the same direction, the same being in a Northwesterly direction along the Northeast line of said Kane Survey to the North corner of said Kane Survey;

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"THENCE with the Northeast line of the Nancy Kenner Survey to the Southeast line of the Missouri Pacific Railroad right-of-way;

"THENCE with said railroad right-of-way line in a Southwesterly direction to the point where said railroad right-of-way

line intersects the Northeast line of the Orrilla Russell Survey, Abstract 485;

"THENCE with said line of the Orrilla Russell Survey in a Southeasterly direction to the San Antonio-Nacogdoches Road in the Northwest line of the Antonio Maria Esnaurizar Eleven League Grant;

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Sec. 2. The facts that the boundaries of the Yorks Creek Improvement District need to be redefined so as to not conflict with other districts, and the crowded condition of the Calendar in

H. B. No. 180

both Houses, create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Austin, Texas

March 17, 1959

Hon. Ben Ramsey

President of the Senate

Sir:

We, your Committee on Water and Conservation  
to whom was referred H. B. No. 180, have had the same under  
consideration, and we are instructed to report it back to the  
Senate with the recommendation that it do \_\_\_\_\_  
pass \_\_\_\_\_ and be \_\_\_\_\_ printed.

  
Chairman

ENROLLED

H. B. No. 180

AN ACT

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President of the Senate

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Speaker of the House

I hereby certify that H. B. No. 180 was passed by the House on March 4, 1959, by the following vote: Yeas 137, Nays 0.

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Chief Clerk of the House

I hereby certify that H. B. No. 180 was passed by the Senate on March 19, 1959, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED:

4-1-59

Date

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Governor

RECEIVED BY THE  
SECRETARY OF STATE  
3:30 PM APR 2 1959

APR 2 1959  
*James H. H. H.*  
Secretary of State.

H. B. No. 180 By: Smith & Hays

**A BILL**  
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FILED JAN 26 1959

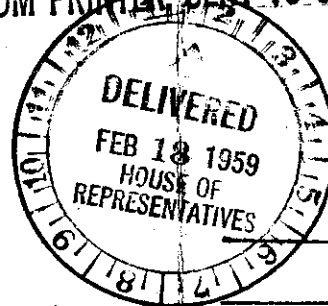
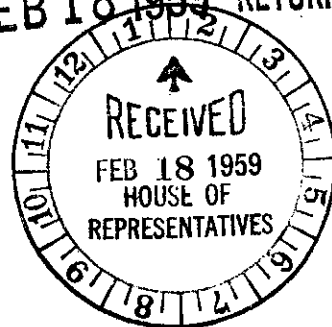
FEB 2 1959

READ 1ST TIME  
AND REFERRED TO COMMITTEE ON

Conservation & Reclamation

FEB 18 1959 REPORTED FAVORABLY AS AMENDED SENT TO PRINTER.

FEB 18 1959 RETURNED FROM PRINTER SENT TO SPEAKER



MAR 4 1959

READ SECOND  
TIME Amended AND

ORDERED Engrossed by  
Viva Voce Vote

Dorothy Hallman

Chief Clerk, House of Representatives

MAR 4 1959 Constitutional  
Rule requiring bills to be read on  
three several days suspended by  
a four-fifths vote.  
Yeas 139 Nays 0

Dorothy Hallman

Chief Clerk, House of Representatives

MAR 4 1959

Read third time  
and Passed  
by following vote yeas 137

Nays 0

Dorothy Hallman

Chief Clerk  
HOUSE OF REPRESENTATIVES

MAR 4 1959 SENT TO ENGROSSING CLERK

By: Smith of Hays, Bartram

H. B. No. 180

A BILL TO BE ENTITLED

AN ACT

amending Section 2 of Chapter 250, Acts of the Fifty-fourth Legislature, Regular Session, 1955, compiled as Article 8280-167 of Vernon's Civil Statutes, so as to redefine the boundaries of the "Yorks Creek Improvement District"; and declaring an emergency. \_\_\_\_\_

- 1-26-59 Filed. \_\_\_\_\_
- 2- 2-59 Read first time and referred to Committee on Conservation and Reclamation. \_\_\_\_\_
- 2-18-59 Reported favorably as amended, sent to printer. \_\_\_\_\_
- 2-18-59 Returned from printer, sent to Speaker. \_\_\_\_\_
- 3- 4-59 Read second time, amended and ordered engrossed by a viva-voce vote. \_\_\_\_\_
- 3- 4-59 Constitutional Rule requiring bills to be read on three several days suspended by a four-fifths vote: Yeas 139, Nays 0. \_\_\_\_\_
- 3- 4-59 Read third time and passed by the following vote: Yeas 137, Nays 0. \_\_\_\_\_

Dorothy Hallman  
Chief Clerk, H. of R.

3- 4-59 Sent to Engrossing Clerk. \_\_\_\_\_

3- 4-59 Engrossed. \_\_\_\_\_

Orea Guggin  
Engrossing Clerk, H. of R.

MAR 5 1959 RETURNED FROM ENGROSSING CLERK

MAR 5 1959 SENT TO SENATE

MAR 9 1959  
IN THE SENATE

Received from  
the House.

MAR 9 1959

Read first time  
and referred to Committee  
on Water & Conservation

MAR 18 1959

Reported Favorably.

MAR 19 1959

Regular order of business suspended by unanimous consent to permit consideration.

(over)

MAR 19 1959

READ SECOND TIME

AND PASSED TO THIRD READING.

MAR 19 1959

Senate Rule 32 and  
Constitutional Rule (Sec. 32, Art. III)  
suspended by a vote of 31 yeas,  
0 nays, to place bill on third  
reading and final passage.

MAR 19 1959

READ THIRD TIME AND PASSED  
BY THE FOLLOWING VOTE:

Yeas 31 Nays 0

Charles Schnabel  
Secretary of the Senate

MAR 19 1959

SENT TO HOUSE

MAR 19 1959  
RETURNED FROM SENATE

Dorothy Hallman  
Chief Clerk, House of Representatives

SENT TO ENROLLING CLERK